

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SHAWN GREEN,

Plaintiff,

-v.-

Civil Action No.
9:01-cv-886 (GLS/VEB)

GEORGE DUNCAN, Superintendent
of the Great Meadow Correctional Facility,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

SHAWN GREEN
Plaintiff Pro Se
97-A-0801
Great Meadow Correctional Facility
Box 51
Comstock, New York 12821

FOR THE DEFENDANT:

HON. ANDREW M. CUOMO
Attorney General for the
State of New York
Attorney for Defendants
The Capitol
Albany, New York 12224

STEVEN H. SCHWARTZ, ESQ.
Assistant Attorney General

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Victor E. Bianchini, duly filed February 16, 2007. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

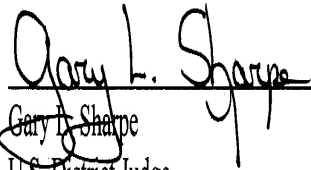
ORDERED, that the Report-Recommendation of Magistrate Judge Victor E. Bianchini filed February 16, 2007 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that the petition is DISMISSED, and it is further

ORDERED, that the Clerk of the Court is to enter judgment in favor of the Respondent and close this case.

IT IS SO ORDERED

Dated: March 13, 2007
Albany, New York



Gary L. Sharpe
U.S. District Judge